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**UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA**

In re:  
 USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

In re:  
 USA CAPITAL REALTY ADVISORS, LLC,  
 Debtor.

In re:  
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,  
 Debtor.

In re:  
 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 Debtor.

In re:  
 USA SECURITIES, LLC,  
 Debtor.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

Case No. BK-S-06-10725 LBR  
 Case No. BK-S-06-10726 LBR  
 Case No. BK-S-06-10727 LBR  
 Case No. BK-S-06-10728 LBR  
 Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under  
 Case No. BK-S-06-10725 LBR

**NOTICE OF HEARING RE: USA  
 COMMERCIAL MORTGAGE  
 COMPANY'S MOTION FOR APPROVAL  
 OF APPOINTMENT OF A SUCCESSOR  
 TRUSTEE FOR ITS DEFINED BENEFIT  
 PENSION PLAN AND TO FREEZE THE  
 PLAN EFFECTIVE SEPTEMBER 30, 2006**

**(AFFECTS USA COMMERCIAL  
 MORTGAGE)**

Date: September 28, 2006  
 Time: 9:30 a.m.

TO: ALL PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN that Debtors and Debtors-in-Possession, USA Commercial

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1 Mortgage Company ("USACM"), by and through its counsel, Schwartz & McPherson Law  
2 Firm, has filed a Motion for Approval of Appointment of a Successor Trustee for its Defined  
3 Benefit Pension Plan and to Freeze the Plan Effective September 30, 2006 (the "Motion"). The  
4 Motion requests that this Court enter an Order approving the substitution of USACM as the  
5 successor trustee of the USA Commercial Mortgage Company Defined Benefit Pension Plan  
6 ("Plan") in place of Ms. Victoria Loob, Mr. Thomas Hantges and Mr. Joseph Milanowski and  
7 freezing the Plan effective on September 30, 2006 in accordance with the resolutions set forth in  
8 the Written Consent attached to the Motion.

9 Any Opposition must be filed pursuant to Local Rule 9014(e)(1).


10 Local Rule 9014(e)(1): "Except for motions made pursuant to Fed.R.Bank.P.  
11 7056 and LR 7056, an opposition to a motion must be filed and service  
12 completed upon the movant not more than fifteen (15) days after service of  
13 the motion, *(eighteen (18) days if service of the motion is by mail pursuant to*  
14 *FRBP 9006(e) and (f)*, but in no event later than five (5) business days  
15 before the date set for the hearing so that the movant receives the opposition  
16 no less than five (5) business days before the hearing date or within the time  
otherwise fixed by the court. The opposition must set forth all relevant facts  
and must contain a legal memorandum. An opposition may be supported by  
affidavits or declarations that conform to the provisions of subsection (d) of  
this rule."

17 If an objection is not timely filed and served, the relief requested may be granted without a  
18 hearing. *LR 9014(a)(1) and LR 9014(c)(1)(E)*.

19 NOTICE IS FURTHER GIVEN that the hearing may be continued without further notice.

20 NOTICE IS FURTHER GIVEN that the hearing will be held before a United States  
21 Bankruptcy Judge, in the Foley Federal Building 300 Las Vegas Boulevard South, Las Vegas,  
22 Nevada on September 28, 2006 at 9:30 a.m.

23 Dated: September 1, 2006.

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25 Jeanette E. McPherson, Nevada Bar No. 5423  
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